



MAYOR'S VETO

Section 3.21. Submission of Ordinance to the Mayor

(a) Every ordinance, resolution, or other action adopted by the city council shall be presented to the mayor for signature within five (5) business days following the adoption of such ordinance, resolution or other action by the city council. The mayor shall have the right to veto any ordinance adopted by the city council, in accordance with the procedure set forth in Section 3.21 of the City Charter.

(b) The mayor, within ten (10) business days following receipt of an ordinance, shall return it to the city clerk with or without the mayor's approval or with the mayor's veto. If an ordinance has been approved by the mayor or if it is returned to the city clerk neither approved nor disapproved, it shall become law upon its return to the city clerk. However, if the mayor fails to return an ordinance to the city clerk within ten (10) business days of receipt, it shall become law at 12:00 Midnight on the tenth business day after receipt. If the ordinance is vetoed by the mayor, the mayor shall submit to city council, through the city clerk, the reasons for the mayor's veto. The city clerk shall record upon the ordinance the date of its delivery to and its receipt from the mayor.

(c) An ordinance vetoed by the mayor shall automatically be on the agenda at the next regular meeting of the city council for reconsideration. The city council may override a veto by the mayor and adopt any ordinance that has been vetoed by the mayor by the affirmative votes of a least five (5) councilmembers, not including the mayor.

(d) In addition, the mayor may disapprove or reduce any item or items of appropriation in any ordinance or resolution. The approved part or parts of any ordinance or resolution making appropriations shall become law, and the part or parts disapproved or reduced shall not become law unless subsequently passed by the city council over the mayor's veto as provided herein. The disapproved or reduce part or parts of any such ordinance or resolution shall be presented to the city council as though disapproved and shall not become law unless overridden by the city council as set forth in subsection (c) of this section.

Date of Adoption: 12/12/2017 **Item Number:** Ord2017-037

Subject: **Changing the Charter – Naming of the City**

Reason for Veto: **SEE THE ATTACHED**

Date to Mayor: 12/15/2017 **Date of Veto:** 12/18/2017

Mayor's Signature: 

Date Received by City Clerk: 12-18-2017

Date to Councilmembers: 12-18-2017

I am vetoing Ordinance No. 2017-037, Changing the Charter – Naming of the City, for the following reasons:

- **The overwhelming response of the citizens**
- **The financial impact incurred by changing the name**
- **There are no significant timing issues associated with the naming**
- **All contracts and literature from inception is South Fulton**
- **From day one of this campaign for cityhood, we have been known as South Fulton**
- **Previous Cities who voted on cityhood used the name they were identified as, i.e. Sandy Springs, Johns Creek, Milton, etc.**

Finally, at this time, we have more urgent issues to deal with in order to set this City on a strong foundation to move forward. The naming of the City can be accomplished at any time. Remember, the City of Atlanta had two other names before the name Atlanta was accepted.

As of this veto, we will revert back to our original name, the City of South Fulton.

**STATE OF GEORGIA
COUNTY OF FULTON
CITY OF SOUTH FULTON**

ORDINANCE NO. 2017-037

**AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF SOUTH
FULTON AMENDING SECTION 1.10 CHANGING THE NAME OF THE CITY
TO THE CITY OF "RENAISSANCE"**

WHEREAS, the City of South Fulton ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia;

WHEREAS, Section 1.10 of the City Charter declares that the City shall be incorporated under the name of the "City of South Fulton;"

WHEREAS, Article IX Section II Paragraph II of the Constitution of the State of Georgia, entitled Home Rule for Municipalities, allows the General Assembly of the State of Georgia to provide by law for the self-government of municipalities, which the General Assembly has done with the Municipal Home Rule Act of 1965, O.C.G.A. § 36-35-1 *et seq.*;

WHEREAS, O.C.G.A. § 36-35-3 permits a municipality to amend its charter after 12 months have elapsed after the referendum to establish the City;

WHEREAS, the Citizens of the City voted to incorporate the City on November 8, 2016;

WHEREAS, O.C.G.A. § 36-35-3 allows municipal charters to be amended by ordinances duly adopted at two regular consecutive meetings of the municipal governing authority, not less than seven nor more than 60 days apart;

WHEREAS, on November 13, 2017, the City Council informally voted to change the name of the City to the City of "Renaissance;"

WHEREAS, pursuant to O.C.G.A. § 36-35-3, the required notice has been published in the Fulton County Daily Report once a week for three weeks prior to its final adoption, and a copy of the proposed amendment has been on file in the Office of the Clerk of the City of South Fulton and in the Office of the Clerk of the Superior Court of Fulton County, Georgia, all as required by law; and

WHEREAS, the required notice has been published within the statutory period of 60 days immediately preceding the final adoption of this Ordinance amending the Charter; and

WHEREAS, the title of this Ordinance has been read and the Ordinance duly adopted at two consecutive City Council meetings not less than 7 nor more than 60 days apart as required by Georgia law.

NOW THEREFORE, in accordance with O.C.G.A. § 36-35-3, the Mayor and City Council of the City of South Fulton, Georgia, pursuant to their authority, do hereby adopt this Ordinance so that the Charter of the City of South Fulton is hereby as follows:

Section 1: That the Charter of the City of South Fulton shall be amended in accordance with the above so that upon proper passage, the name of the City shall no longer be the "City of South Fulton" but shall be the City of "Renaissance."

Section 2: All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3: If any section, clause, sentence or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this ordinance.

Section 4: This ordinance shall become effective immediately upon its adoption by the City Council.

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The foregoing Ordinance No. **Ord2017-037**, adopted on **December 12, 2017**, was offered by Councilmember **khalid**, who moved its approval. The motion was seconded by Councilmember **Jackson**, and being put to a vote, the result was as follows:

“SECOND READING”

	AYE	NAY
William “Bill” Edwards, Mayor	<hr/>	<hr/>
Catherine Foster Rowell, Mayor Pro Tem	<hr/>	<hr/> √
Carmalitha Lizandra Gumbs	<hr/>	<hr/> √
Helen Zenobia Willis	<hr/>	<hr/> √
Gertrude Naeema Gilyard	<hr/> √	<hr/>
Rosie Jackson	<hr/> √	<hr/>
khalid kamau	<hr/> √	<hr/>
Mark Baker	<hr/> √	<hr/>

THIS ORDINANCE adopted this **12th** day of **December 2017**. **CITY OF SOUTH FULTON, GEORGIA.**

“SECOND READING”

WILLIAM “BILL” EDWARDS, MAYOR

ATTEST:

MARK MASSEY, CITY CLERK

APPROVED AS TO FORM:

JOSH BELINFANTE, INTERIM CITY ATTORNEY